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PATENT
Customer No. 22,852
Attorney Docket No. 05723.0993-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re National Stage of International
Application No. PCT/FR00/01257 of:

Sandrine DECOSTER et al.

Application No.: 10/018,769

PCT Filed: May 10, 2000

National Stage Entry: December 21, 2001

For: COMPOSITION CONTAINING AN
OPACIFIER OR PEARLESCENT
AGENT AND AT LEAST TWO
FATTY ALCOHOLS

) Group Art Unit: 1617

) Examiner: Gina C. Yu

) 07/30/2003 H8UTEMA1 00000020 10018769

) 01 FC:1814

110.00 OP

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TERMINAL DISCLAIMER

Assignee, L'Oréal S.A., duly organized under the laws of France and having its principal place of business at 14, rue Royale, 75008 Paris, France, through its attorneys, represents that it is the assignee of the entire right, title and interest in and to the above-identified Application No. 10/018,769, filed in the United States on December 21, 2001, for COMPOSITION CONTAINING AN OPACIFIER OR PEARLESCENT AGENT AND AT LEAST TWO FATTY ALCOHOLS in the names of Sandrine Decoster and Bernard Beauquey, as indicated by assignment duly recorded in the United States

FINNEGAN
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Patent and Trademark Office at Reel 012725, Frame 0622 on December 21, 2001.

Assignee, L'Oréal S.A., further represents that it is the assignee of the entire right, title and interest in and to U.S. Patent No. 6,521,238, as indicated by the assignments duly recorded in the United States Patent and Trademark Office at Reel 010319, Frame 0776 on October 18, 1999.

To obviate a double patenting rejection, Assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of U.S. Patent No. 6,521,238. Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of U.S. Patent No. 6,521, 238, as presently shortened by any terminal disclaimer, in the event that the prior patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$110.00 is being filed with this disclaimer.

If a check for the required fee is not filed concurrently herewith or if there are any additional fees due in connection with the filing of this Terminal Disclaimer, please charge the fees to our Deposit Account No. 06-0916. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to Deposit Account No. 06-0916

The undersigned is an attorney of record.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: July 28, 2003

By: 
Mark Sweet
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